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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,897	09/26/2003	Takayuki Ogino	9333/355	8033

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EXAMINER

NGUYEN, THU V

ART UNIT PAPER NUMBER

3661

DATE MAILED: 02/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,897

Applicant(s)

OGINO ET AL.

Examiner

Thu Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,7-17 and 19-31 is/are pending in the application.
- 4a) Of the above claim(s) 7-13 and 19-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,14-17 and 23-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The amendment filed on October 14, 2005 has been entered. By this amendment, claims 4, 6, 18 have been canceled, claims 7-13, 19-22 have been withdrawn from consideration, and claims 1-3, 5, 14-17, 23-31 are now pending in the application.

Claim Objections

1. Claim 29 is objected to because of the following informalities:

Claim 29 depends on the cancelled claim 18. This is improper.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 14, 23-25, 28, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elder (US 4,323,210) in view of Katsunori et al (JP 2002-229646) and further in view of McKenna (US 6,252,519).

As per claim 1, Elder teaches a communication system including providing an interruption point (the point where the single track begin) and providing a first and a second vehicle (col.1, lines 62-67; col.2, lines 1-2); providing a communication apparatus for

transmitting an interrupt request from one end to the second end (col.2, lines 6-11; col.3, lines 4-6, lines 29-35); receiving an interruption request and responding to the interruption request (col.2, lines 11-16; col.3, lines 6-12, lines 39-47); the interrupt request is a request to enter a segment with one way direction traffic (col.3, lines 16-23, lines 48-57). Elder does not teach including the communication to the first and second vehicle, forming a network between the first and second vehicle and automatically flashes the external light. However, since it is well known that a network is considered to be established when signals can be communicated between two devices, Elder obviously encompasses forming the network in order to enable communication between vehicles. Moreover, Katsunori teaches including communication system in the first and second vehicle (para 0024, 0028), and McKenna teaches flashing light 17 (fig.1) on the second vehicle if the interrupt request is acknowledged (col.4, lines 24-29), furthermore, since the light 17 (fig.1) can flash light so that other vehicle can be perceived (col.4, lines 24-29), implementing the light 17 (fig.1) externally or internally requires only routine skill in the art. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include communication system of Elder to the vehicle as taught by Katsunori and provide flashing light taught by McKenna to the vehicle of Elder in order to facilitate communication between vehicles without requirement monitoring stations, and inform the first vehicle of the acknowledgment at the second vehicle.

As per claim 2, connecting communication apparatus to a navigation apparatus via an interface would have been well known.

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As per claim 14, 23-25, 28, 30, refer to claims 1-2 above. Further with respect to claim 14, installing flashing light on selected vehicle would have been a mere matter of design choice.

4. Claims 3, 5, 15-17, 26-27, 29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elder (US 4,323,210) in view of Katsunori et al (JP 2002-229646) and further in view of McKenna (US 6,252,519) and Graham et al (US 5,572,201).

As per claim 3, 5, 15, Graham teaches displaying a request and positional relationship between the vehicles (col.15, lines 42-64; col.14, lines 1-15). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include displaying interrupt request and positional relationship of Graham to the system of Katsunori in order to provide the driver information concerning the purpose of the communication and the relative position between vehicles.

As per claim 16-17, 27, 31, refer to claims 2, and 5 above.

As per claim 26, 29, refer to claim 3, above.

Response to Arguments

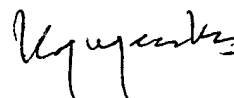
5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (571) 272-6967. The examiner can normally be reached on T-F (7:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (571) 272-6956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



February 16, 2006

THU V. NGUYEN
PRIMARY EXAMINER